UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,841	12/05/2003	Mohammed Samji	MSFT121180	8318

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EXAMINER
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ART UNIT	PAPER NUMBER
2162	

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/729,841	SAMJI ET AL.
	Examiner	Art Unit	
	Anh Ly	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _05 December 2003_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-73_ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☒ Claim(s) _1-73_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _05 December 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some *   c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _1/18/05, 4/26/04, & 3/25/04_

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This Office Action is response to Applicants' communications 12/05/2003.

2.   Claims 1-73 are pending in this application.

Double Patenting

3.   The nonstatutory double patenting rejection is based on a judicially created

doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the

unjustified or improper timewise extension of the "right to exclude" granted by a patent

and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11

F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225

USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA

1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington,*

418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be

used to overcome an actual or provisional rejection based on a nonstatutory double

patenting ground provided the conflicting application or patent is shown to be commonly

owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a

terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with

37 CFR 3.73(b).

4.   Claims 12, 19, 24 and 33 of the instant application is anticipated by the

·application of 10/691, 841 claims 10, 17, 24 and 31, in that claims 10, 17, 24 and 31 of

the application 10/691, 841 contains all limitations of claims, 12, 19, 24 and 33 of the

instant application. Claims 12, 19, 24 and 33 of the instant application therefore are not

patently distinct from the application 10/691, 841 limitations claims as such are

unpatentable for obvious-type double patenting.

"Generally, an obviousness-type double patenting analysis entails two steps..

First, as a matter of law, a court construes the claims in the earlier patent and the claims

in the later patent and determines the differences. Georgia-Pacific Corp. v. United

states Gypsum Co., 195 F.3d 1322, 52 USPQ2d 1590, 1593 (Fed. Cir. 1999). Second,

the court determines whether the differences in subject matter between the two claims

render the claims patentably distinct. Id. At 1327, 52 USPQ2d at 1595. A later claim that

is not patentably distinct from an earlier claims in a commonly owned patent is invalid

for obvious-type double patenting. In Re Berg, 140 F. 3r 1428, 1431, 46 USPQ2d 1226,

1229 (Fed. Cir. 1998). A later patent claim is not patentably distinct from an earlier

patent claim if the later claim is obvious over, or **anticipated by**, the earlier claim. In re

Longi, 759 F. 2d at 896, 225 USPQ at 651 (affirming a holding of obviousness-type

double patenting because the claims at issue were obvious over claims in four prior art

patents); In re Berg, 140 F. 3d at 1437, 46 USPQ2d at 1233 (Fed. Cir. 1998) (affirming

a holding of obviousness-type double patenting where a patent application claim to a genus is anticipated by a patent claim to a species within the genus)." "ELI LILLY AND COMPANY v BARR LABORATORIES, INC., United States Court of Appeals for the Federal Circuit, ON PETITION FOR REHEARING EN BANC (DECIDED: May 30, 2001)..

"The only other difference between claim 1 of the '213 patent and claim 7 of the '549 patent is that the former is directed to humans while the latter is directed to animals. Humans are a species of animal genus. Our case law firmly establishes that a later genus claim limitation is anticipated by, and therefore not patentably distinct from, an earlier species claim. In re Berg, 140 F. 3d at 1437, 46 USPQ2d at 1233 (Fed. Cir. 1998); In re Goodman, 11 F. 3d 1046, 1053, 29 USPQ2d 2010, 2016 (Fed. Cir 1993); In re Gosteli, 872 F. 2d 1008, 1010, 10 USPQ2d 1614, 1616 (Fed. Cir. 1989); Titannium Metals Corp. v Banner, 778 F. 2d 775, 782, 227 USPQ 773, 779 (Fed. Cir. 1985); In re Van Ornum, 686 F. 2d at 944, 214 USPQ at 767 (C.C.P.A. 1982). "ELI LILLY AND COMPANY v BARR LABORATORIES, INC., United States Court Appeals for the Federal Circuit, ON PETITION FOR HEARING EN BANC (DECIDED: May 30, 2001)."

Claim Rejections - 35 USC § 102

5.　　The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6.　　Claims 1-73 are rejected under 35 U.S.C. 102(b) as being anticipated by Pub. No.: US 2003/0225796 A1 of Matsubara.

With respect to claim 1, Matsubara teaches the sharer selecting an item to be shared (using the browser UI, the user or a sharer to choose or select to share file, item, contacts, document, email, folder or directory: figs. 5 & 8, sections 0062 and 0068);

the sharer selecting at least one sharee with whom the item is to be shared (in the P2P file sharing system enabling sharees to connect to the system remotely and the securely access the shared resources based on the ACL and access right, also, the user or the sharer may use cached user list and user access information in the user table, the user access information for a given user can be any suitable information that can be communicated to other users which allow such other users to communicate with the given user (sections 0042-0044) to search or select for a sharee, who is selected by the sharer to share or view the selected item, file or directory based on the access right, determining who have permission access to that item, access right: see figs 5 & 8: sections 0062 and 0068); and

providing to the sharee access to the item on the sharer's computer (In the P2P file sharing system consisting a cached user list, which is a list of those users who are "on-line" and who are able to provided access to the file or item or directory: section 0042, also there is a user table containing user access information which allows the users to communicate among themselves: section 0044 and an access control list containing an ordered list of rules provides to limit access to a file and access control is based on individuals or groups of individuals: access control defining the individuals or groups of individual being had access capability to access the file, sharing the file over the Internet network for peer-to-peer file sharing based on the ACL and access rights to the shared files: see fig. 2, system 100, sections 0043, 0062 and 0004-0011 and 0027).

With respect to claim 2, Matsubara teaches wherein the sharer also designates a level of permission that is assigned to the sharee (see figs. 6 & 7, sections 0063-0079).

With respect to claim 3, Matsubara teaches comprising verifying that a file share exists from which the item to be shared can be accessed remotely (downloading the remotely file: section 0038).

With respect to claim 4, Matsubara teaches wherein if a file share already exists, the permissions on the file share are set so as to allow the sharee to access the item that is to be shared (sections 0063-0079).

With respect to claim 5, Matsubara teaches comprising verifying that any permissions associated with the item that is to be shared are set so that the sharee can access the item (based on the cached user list and user access information: sections 0042-0044 & 0063-0079).

With respect to claim 6, Matsubara teaches comprising determining whether the item is protected, and if so verifying that the item can be shared with the sharee, and if the item cannot be shared, providing a notification to the sharer (detecting a selected item based on the NRB software: sections 0062-0063 and see fig. 9, section 0070).

With respect to claim 7, Matsubara teaches comprising verifying that the sharer's firewall will allow the sharee to access the shared item (in the P2P file sharing system has NBR software and cached user list and user access information in user table to detect or act as a firewall to allow the users of the system to have access the selected item: sections 0042-0044 & 0062-0063).

With respect to claim 8, Matsubara teaches comprising recording one or more details of the sharing transaction, including at least one of what was shared, who it was shared with, or when it was shared (recording the sharing transactions over the Internet network with P2P file sharing system via file table, user table cached user list: see fig. 3 and sections 0039-0044; also section 0011).

With respect to claim 9, Matsubara teaches comprising sending a link to the sharee that allows the sharee to access the shared item directly from the sharer's computer (file links: figs. 1 & 6, section 0063; also section 0027).

With respect to claim 10, Matsubara teaches comprising allowing the sharee to query the sharer's computer to see what the sharer has shared out with the sharee (figs. 5 & 8, retrieving the item's properties: sections 0062 and 0068).

With respect to claim 11, Matsubara teaches wherein the item is an individual

item that is shared directly, independent of a share status of a folder in which the item is saved (figs. 3 & 4, file/directory table containing the file's/directory's properties: sections 0038 and 0047).

With respect to claim 12, Matsubara teaches receiving permission to access the item that is to be shared (access control list giving the permission to access to the file: see fig. 11, item 1110 and section 0073); and

in response to receiving the permission to access the item, accessing the item (receiving the permission to access the file: see figs. 11 & 13, and sections 0073, 0079 and 0043).

With respect to claim 13, Matsubara teaches comprising verifying that a file share exists from which the item to be shared can be accessed remotely (downloading the remotely file: section 0038).

With respect to claim 14, Matsubara teaches wherein if a file share already exists, the permissions on the file share are set so as to allow the sharee to access the item (sections 0063-0079).

With respect to claim 15, Matsubara teaches comprising verifying that any permission associated with the item is set so that the sharee can access the item (based on the cached user list and user access information: sections 0042-0044 & 0063-0079).

With respect to claim 16, Matsubara teaches determining whether the

item is protected, and if so verifying that the item can be shared with the sharee, and if

the item cannot be shared, providing a notification to the sharer (detecting a selected

item based on the NRB software: sections 0062-0063 and see fig. 9, section 0070).

With respect to claim 17, Matsubara teaches sending a link to the sharee that

allows the sharee to access the item directly from the sharer's computer (file links: figs.

1 & 6, section 0063; also section 0027).

With respect to claim 18, Matsubara teaches wherein the item is an individual

item that is shared directly, independent of a share status of a folder in which the item is

saved (figs. 3 & 4, file/directory table containing the file's/directory's properties: sections

0038 and 0047).

With respect to claim 19, Matsubara teaches a set of computer-usable instructions

that cause a request to provide access to a set of item that is to be shared to be

communicated to one or more other computer-program segments capable of executing

said request (P2P file sharing system, a software or browser is installed for performing

searches of the file properties, such as file name, file type, file size and files can be

downloaded directory from one computer to another computer , for selecting files: see

fig. 1 and sections 0004-0012 and 0027; also see fig. 14, and section 0082; with access

control list and access control to the file: section 0043 and virtual directory for file

management by users: section 0011).

With respect to claim 20, Matsubara teaches computer-usable instructions to

verify that any permissions associated with the item are set so that the item can be

accessed (downloading the remotely file: section 0038).

With respect to claim 21, Matsubara teaches computer-usable instructions for determining whether the item is protected, and if so, verifying that the item can be shared, and if the item cannot be shared, providing a notification (detecting a selected item based on the NRB software: sections 0062-0063 and see fig. 9, section 0070).

With respect to claim 22, Matsubara teaches computer-usable instructions for recording one or more details of the sharing transaction, including at least one of what was shared, who it was shared with, or when it was shared (recording the sharing transactions over the Internet network with P2P file sharing system via file table, user table cached user list: see fig. 3 and sections 0039-0044; also section 0011).

With respect to claim 23, Matsubara teaches computer-usable instructions for sending a link that provides direct access to the item (file links: figs. 1 & 6, section 0063; also section 0027).

With respect to claim 24, Matsubara teaches receiving a call issued by the sharer for setting at least one permission which will allow the sharee to access the item at the sharer's computer, and in response to the call, the permission is set for the item (P2P file sharing system, a software or browser is installed for performing searches of the file properties, such as file name, file type, file size and files can be downloaded directory from one computer to another computer , for selecting files: see fig. 1 and sections 0004-0012 and 0027; also see fig. 14, and section 0082; with access control list and access control to the file: section 0043 and virtual directory for file management by users: section 0011).

With respect to claim 25, Matsubara teaches verifying that any permissions associated with the item are set so that the sharee can access the item (downloading the remotely file: section 0038).

With respect to claim 26, Matsubara teaches determining whether the item is protected, and if so, verifying that the item can be shared with the sharee (sections 0063-0079).

With respect to claim 27, Matsubara teaches wherein when access may be unavailable to an item, a notification is provided to the sharer (detecting a selected item based on the NRB software: sections 0062-0063 and see fig. 9, section 0070).

With respect to claim 28, Matsubara teaches wherein the sharer is able to limit the type of access that is provided to the item (sections 0042-0044).

With respect to claim 29, Matsubara teaches recording one or more details of the sharing transaction (recording the sharing transactions over the Internet network with P2P file sharing system via file table, user table cached user list: see fig. 3 and sections 0039-0044; also section 0011).

With respect to claim 30, Matsubara teaches sending a link to the sharee that allows the sharee to access the item directly from the sharer's computer (file links: figs. 1 & 6, section 0063; also section 0027).

With respect to claim 31, Matsubara teaches allowing the sharee to query the sharer's computer to see what the sharer has shared out with the sharee (figs. 5 & 8, retrieving the item's properties: sections 0062 and 0068).

With respect to claim 32, Matsubara teaches wherein the item that is shared is

an individual item, which is shared directly. independent of a share status of a folder in which the item is saved (figs. 3 & 4, file/directory table containing the file's/directory's properties: sections 0038 and 0047).

With respect to claim 33, Matsubara teaches a set of computer-usable instructions that allow the sharee to access the item through the sharer's computers independent of a share status of a physical folder in which the item is stored on the sharer's computer (P2P file sharing system, a software or browser is installed for performing searches of the file properties, such as file name, file type, file size and files can be downloaded directory from one computer to another computer, for selecting files: see fig. 1 and sections 0004-0012 and 0027; also see fig. 14, and section 0082; with access control list and access control to the file: section 0043 and virtual directory for file management by users: sections 0011 and 0033-0037).

With respect to claim 34, Matsubara teaches wherein the sharer designates a level of permission that is assigned to the sharee, and additional sharees may receive different permissions (see figs. 6& 7, sections 0063-0079).

With respect to claim 35, Matsubara teaches wherein the sharer designates a permission for the item, and additional items may be assigned different permissions (section 0038).

With respect to claim 36, Matsubara teaches computer-usable instructions for determining whether the item is protected, and if so, verifying that the item can

be shared with the sharee, and if the item cannot be shared, providing a notification to

the sharer (detecting a selected item based on the NRB software: sections 0062-0063

and see fig. 9, section 0070).

With respect to claim 37, Matsubara teaches wherein when access may be

unavailable to an item, a notification is provided to the sharer (fig. 9, section 0070).

With respect to claim 38, Matsubara teaches computer-usable instructions for

recording one or more details of the sharing transaction (fig. 9, section 0070).

With respect to claim 39, Matsubara teaches computer-usable instructions for

sending a link to the sharee that allows the sharee to access the shared item directly

from the sharer's computer (file links: figs. 1 & 6, sections 0063 and 0027).

With respect to claim 40, Matsubara teaches computer-usable instructions for

allowing the sharee to query the sharer's computer to determine what the sharer

has shared out with the sharee (figs. 5 & 8, retrieving the item's properties; sections

0062 and 0068).

With respect to claim 41, Matsubara teaches wherein the item is an individual

item that is shared directly, independent of a share status of a folder in which the item is

saved (figs. 3 & 4, sections 0038 and 0047).

With respect to claim 42, Matsubara teaches designating an individual item on a

sharer's computer to be shared independent of a share status of a folder in which the

item is saved, and sharing the individual item with a sharee such that the sharee is

provided with access to the individual item from the sharer's computer (figs. 3, 4, 5 & 8,

sections 0038, 0047, 0062 and 0068).

With respect to claim 43, Matsubara teaches wherein the sharer designates a level of permission for the sharee, and additional sharees may receive different levels of permission (sections 0063-0079).

With respect to claim 44, Matsubara teaches verifying that any permissions associated with the item are set so that the sharee can access the item (section 0038).

With respect to claim 45, Matsubara teaches determining whether the item is protected, and if so, verifying that the item can be shared (section 0038).

With respect to claim 46, Matsubara teaches wherein when access is unavailable to an item, a notification is provided to the sharer (fig. 9 and section 0070).

With respect to claim 47, Matsubara teaches recording one or more details of the sharing transaction (fig. 3, sections 0039-0044).

With respect to claim 48, Matsubara teaches sending a link to the sharee that allows the sharee to access the item directly from the sharer's computer (sections 0027 and 0063).

With respect to claim 49, Matsubara teaches wherein the providing step comprises providing the sharee remote access to the item on the sharer's computer (fig. 1, P2P file sharing system over the Internet network with a plurality of client computer).

With respect to claim 50, Matsubara teaches wherein accessing the item comprises remotely accessing the item (fig. 1).

With respect to claim 51, Matsubara teaches wherein the set of computer-usable instructions cause the request to provide remote access to the at least one item (fig. 1).

With respect to claim 52, Matsubara teaches wherein the permission further allows the sharee to remotely access the item at the sharer's computer (fig. 1).

With respect to claim 53, Matsubara teaches wherein the set of computer-usable instructions allow the sharee to remotely access the item through the sharer's computer (fig. 1).

With respect to claim 54, Matsubara teaches wherein in the sharing step the sharee is provided with remote access to the individual item from the sharer's computer (fig. 1).

With respect to claim 55, Matsubara teaches wherein the item comprises a file item (fig. 1, section 0027).

With respect to claim 56, Matsubara teaches wherein the item comprises a non-folder non-file item (electronic message such as e-mail: section 0066).

With respect to claim 57, Matsubara teaches wherein the item comprises a file item (fig. 1, section 0027).

With respect to claim 58, Matsubara teaches wherein the item comprises a non-folder non-tile item (electronic message such as e-mail: section 0066).

With respect to claim 59, Matsubara teaches wherein the item comprises a file item (fig. 1, section 0027).

With respect to claim 60, Matsubara teaches wherein the item comprises a non-folder non-file item (electronic message such as e-mail: section 0066).

With respect to claim 61, Matsubara teaches wherein the item comprises a file item (fig. 1, section 0027).

With respect to claim 62, Matsubara teaches wherein the item comprises a non-folder non-file item (electronic message such as e-mail: section 0066).

With respect to claim 63, Matsubara teaches wherein the item comprises a file item (fig. 1, section 0027).

With respect to claim 64, Matsubara teaches wherein the item comprises a non-folder non-file item (electronic message such as e-mail: section 0066).

With respect to claim 65, Matsubara teaches wherein the item comprises a file item (fig. 1, section 0027).

With respect to claim 66, Matsubara teaches wherein the item comprises a non-folder non-file item (electronic message such as e-mail: section 0066).

With respect to claim 67, Matsubara teaches a) receiving input from the sharer identifying a first item to be shared (figs 5 & 8; selecting one item via browser UI, sections 0062 and 0068 .);

b) receiving input from the sharer identifying at least one sharee with whom the first item is to be shared (cached user list and user access information in the user table: sections 0042-0044);

c) receiving a request from the sharee for access to the item on the sharer's computer (retrieving the file/item's properties: sections 0062 and 0068);

d) responsive to step c), providing access to the sharee to the item on the sharer's computer (access control list, access control to determine the access right to the file/item: sections 0042-0044); and

e) prohibiting access by the sharee to a second item stored in a same folder on the

sharer's computer as the shared item, based on a non-shared status of the second item

(providing to limit access to the file or item: sections 0042-0049).

With respect to claim 68, Matsubara teaches wherein step e) comprises hiding the

second item from the sharee (figs 5 & 8, checking the permission to access the file).

With respect to claim 69, Matsubara teaches a first data field identifying a shared

status of a first file item stored in a folder (the status of file to be identified based on the

cached user list, user access information in the user table and access control list:

sections 0042-0044);

a second data field identifying a shared status of a second file item stored in the

folder (sections 0042-0044); and

wherein the first data field indicates that the first file item is shared by a sharer user

with a sharee user, and wherein the second data field indicates that the second file item

is not shared by the sharer user with the sharee user (sections 0042-0044).

With respect to claim 70, Matsubara teaches determining whether the item

is protected and, if so, verifying that the item can be shared with the sharee, and if the

item can be shared, determining whether to remove the protection from the item prior to

sharing the item with the sharee (using de-registering process as shown in fig. 11,

sections 0073-0076).

With respect to claim 71, Matsubara teaches determining whether the item is

protected and, if so, verifying that the item can be shared with the sharee, and if the

item can be shared, determining whether to remove the protection from the item prior to

sharing the item with the sharee (using de-registering process as shown in fig. 11, sections 0073-0076).

With respect to claim 72, Matsubara teaches wherein the instructions further comprise determining whether the item is protected and, if so, verifying that the item can be shared with the sharee, and if the item can be shared, determining whether to remove the protection from the item prior to sharing the item with the sharee (using de-registering process as shown in fig. 11, sections 0073-0076).

With respect to claim 73, Matsubara teaches determining whether the item is protected and, if so, verifying that the item can be shared with the sharee, and if the item can be shared, determining whether to remove the protection from the item prior to sharing the item with the sharee (using de-registering process as shown in fig. 11, sections 0073-0076).

Contact Information

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV **or fax to (571) 273-4039**. The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or Primary Examiner Jean Corrielus (571) 272-4032.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see **http://pair-direct.uspto.gov**. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: Central Fax Center (703) 872-9306

JEAN M. CORRIELUS
PRIMARY EXAMINER

ANH LY
MAR. 29th, 2005